

# City of Austin - Booting

Austin Police Department  
Highway Enforcement Division

# History of Booting in Austin

- Booting complaints to the Austin Police Department began in 2013.
- Complaints were related to the excessive Boot Removal fees (typically \$150 to remove a boot) and that Boot operators did not wear any type of uniform, nor did they have any type of visible identification.

# History of Booting in Austin Continued..

- The City of Austin does not currently regulate Booting, therefore most reports of Illegal Booting incidents are written under the Violation of Wrecker Ordinance title code.
- All complaints concerning Booting were referred to the Texas Department of Licensing and Regulation (TDLR).

# Booting Regulations under the Texas Occupations Code

- Booting Companies required to be licensed by the State of Texas.
- Boot Operators required to have a State issued Boot Operator license.
- State mandated signs were required to be present on the property prior to Booting.

## Booting Regulations under the Texas Occupations Code – Continued..

- Once a Boot was placed on a vehicle, a “Warning Sticker” was required to be placed on the vehicle, warning the vehicle owner that attempting to drive with a Boot would damage the vehicle.
- Upon payment of a Boot Removal fee, the Boot Operator was required to issue the vehicle owner a receipt.

# Texas SB 1501

- Passed in May 2017
- Goes into effect Sept 2018
- Substantially deregulates Vehicle Booting at the State level.

# Texas HB 2065

## Continued..

- All references to Booting Licenses issued by TDLR for Companies and Operators removed from State law
- Bill allows local authorities (cities, counties, universities, school districts, etc.) to regulate booting.

## State Law after September 2018

- Texas Occupations Code 2308 still mandates the Signage requirements.
- State law still allows for vehicle owner's right to file for a civil suit against a Booting Company.
- TDLR will no longer license or regulate Booting Companies and Operators and will not investigate any illegal activity by Booting Companies or Operators.

## Reasons for an Austin Booting Ordinance

- Current average fee in Austin for Boot Removal is \$150. Ordinance would limit that to \$50.
- No limit on how many boots (and corresponding boot removal fees) can be placed on a single vehicle. Ordinance would limit ONE boot removal fee per vehicle regardless of number of boots placed on a single vehicle.

# Reasons for an Austin Booting Ordinance Continued..

- Under the Ordinance, Booting Companies would be licensed by the City and required to maintain certain Insurance Standards.
- Boot Operators would be held to the same Criminal Background Check requirements and standards as Non-Consent Tow Truck drivers before they are licensed.

# Reasons for an Austin Booting Ordinance Continued..

- Ordinance would require Boot Operators to have their APD issued license displayed on their person at all times.
- Warning Stickers and Receipts would be required under City Ordinance.

## Reasons for an Austin Booting Ordinance Continued..

- Ordinance would set up a license/permit suspension and revocation system to deal with Booting Companies and Booting Operators who break the law or violate applicable regulations.
- The Booting Ordinance will not affect Booting by government entities or universities.